

Barket, Marion, Epstein & Kearon, LLP

Attorneys at Law

666 OLD COUNTRY ROAD, SUITE 700 • GARDEN CITY, NEW YORK 11530

[P] 516.745.1500 • [F] 516.745.1245

Bruce A. Barket

Amy B. Marion

Donna Aldea

Aida Ferrer Leisenring

Steven B. Epstein

Kevin T. Kearon

Of Counsel

Hon. Elaine Jackson Stack

Daniel N. Arshack

July 9, 2013

via ELECTRONIC FILING

Judge Leonard D. Wexler
United States District Court Judge
Eastern District of New York
Long Island Federal Courthouse
944 Federal Plaza
Central Islip, New York 11722

Re: Callahan v. Suffolk County, et al.
12-CV-02973 (LDW)(GRB)

Dear Judge Wexler:

I represent Plaintiffs in the above- referenced case pending before Your Honor. I am writing on behalf of all parties, as a joint request for a ninety (90) day extension of the July 16, 2013 discovery deadline.

This is the second request for an extension of the discovery deadline. The parties have actively been engaged in discovery and have conducted numerous depositions. One of the defendants was involved in a very serious line of duty injury which delayed his deposition being conducted and another defendant is out on maternity leave which has prevented her deposition from being conducted as of yet. Nevertheless, the parties have conducted nine depositions to date. Additionally, expert discovery has been underway, my expert has made two appearances at the County laboratory and the County's ballistics expert has been deposed.

Given the nature of the underlying incident, a shooting resulting in death, there is still further discovery which needs to be conducted as a result of the depositions which have already taken place, additional expert disclosures, and additional depositions which have to be conducted.

The parties have been diligently working together to move this case forward and have conducted all of the ballistics investigations, discovery and depositions stated above even though I was on trial for over a month and Mr. Mitchell as well was engaged on trial.

